

AUG 25 2004

Docket No.: 22220-00003-US
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:
Vic Jira et al.

Application No.: 09/935,344

Confirmation No.: 8106

Filed: August 23, 2001

Art Unit: 1648

For: VIRAL VACCINE COMPOSITION, PROCESS
AND METHODS OF USE

Examiner: Z. Lucas

PETITION UNDER 37 CFR 1.181(A) TO WITHDRAW NOTICE OF ABANDONMENT

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant petitions the Examiner to withdraw the Notice of Abandonment mailed August 10, 2001. The Examiner states that no Reply to the December 17, 2003 Office Action had been received. Applicant filed a Reply on March 16, 2004. A copy of the March 16 Reply, including the Auto-Reply confirmation page and a Power of Attorney and Change of Correspondence Address is attached to this paper.


Application No. 09/935,344

Attorney Docket No. 22220.00003

Applicant believes no fee is due with this petition. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 22220-00003-US from which the undersigned is authorized to draw.

Dated: August 25, 2004

Respectfully submitted,

By 
Thor B. Nielsen

Registration No.: 45,528

CONNOLLY BOVE LODGE & HUTZ LLP

1990 M Street, N.W., Suite 800

Washington, DC 20036-3425

(202) 331-7111

(202) 293-6229 (Fax)

Attorney for Applicant

Auto-Reply Facsimile Transmission



TO:

Fax Sender at 2022936229

Fax Information

Date Received:

Total Pages:

3/16/2004 3:16:29 PM [Eastern Standard Time]
20 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page

=====>

MAR-16-2004 15:19		CONNOLLY BOVE LODGE & HUTZ		2022936229 P.01/20	
FAX TRANSMISSION					
DATE: March 16, 2004					
PTO IDENTIFIER: Application Number 09/953,344					
Patent Number					
Inventor: Vic Jira et al.					
MESSAGE TO: US Patent and Trademark Office					
FAX NUMBER: (703) 872-9306					
FROM: CONNOLLY BOVE LODGE & HUTZ LLP					
Thor B. Nielsen					
PHONE: (202) 331-7111					
Attorney Dkt. #: 22220-00003-US					
PAGES (including Cover Sheet): 20					
CONTENTS: Amendment Transmittal (1 page); Appendix (16 pages); Revocation of Power of Attorney, New Power of Attorney and Change of Correspondence Address (1 page); and Certificate of Transmission under 37 CFR 1.8 (1 page).					
<p>If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (202) 331-7111 and send the original transmission to us by return mail at the address below.</p> <p>This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.</p> <p>CONNOLLY BOVE LODGE & HUTZ LLP 1990 M Street, N.W., Suite 800, Washington, DC 20036-3426 Telephone: (202) 331-7111 Facsimile: (202) 293-0229</p>					

AUG-25-2004 14:36

CONNOLLY BOVE LODGE & HUTZ

2022936229 P.06/26

***** -COMM - JRNAL - ***** DATE MAR-16-2004 TIME 15:24 *** P.01

MODE = MEMORY TRANSMISSION

START=MAR-16 15:18

END=MAR-16 15:24

FILE NO. = 016

STN NO.	COM	ABBR NO.	STATION NAME/TEL.NO.	PAGES	DURATION
001	OK		5907#22220#3H08#	020/020	00:05'35"

-CONNOLLY BOVE LODGE & HUTZ-

***** -CONNOLLY BOVE - ***** 2022936229- *****

FAX TRANSMISSION

DATE: March 16, 2004

PTO IDENTIFIER: Application Number 09/953,344
Patent Number

Inventor: Vic Jira et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (703) 872-9306

FROM: CONNOLLY BOVE LODGE & HUTZ LLP
Thor B. Nielsen

PHONE: (202) 331-7111

Attorney Dkt. #: 22220-00003-US

PAGES (Including Cover Sheet): 20

CONTENTS: Amendment Transmittal (1 page);
Amendment (16 pages);
Revocation of Power of Attorney, New Power of Attorney and Change of Correspondence
Address (1 page); and
Certificate of Transmission under 37 CFR 1.8 (1 page).

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (202) 331-7111 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

CONNOLLY BOVE LODGE & HUTZ LLP
1990 M Street, N.W., Suite 800, Washington, DC 20036-3425
Telephone: (202) 331-7111 Facsimile: (202) 293-6229

FAX TRANSMISSION**DATE:** March 16, 2004**PTO IDENTIFIER:** Application Number 09/953,344
Patent Number**Inventor:** Vic Jira et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (703) 872-9306**FROM:** CONNOLLY BOVE LODGE & HUTZ LLP

Thor B. Nielsen

PHONE: (202) 331-7111**Attorney Dkt. #:** 22220-00003-US**PAGES (Including Cover Sheet):** 20**CONTENTS:** Amendment Transmittal (1 page);
Amendment (16 pages);
Revocation of Power of Attorney, New Power of Attorney and Change of Correspondence
Address (1 page); and
Certificate of Transmission under 37 CFR 1.8 (1 page).

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (202) 331-7111 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

CONNOLLY BOVE LODGE & HUTZ LLP
1990 M Street, N.W., Suite 800, Washington, DC 20036-3425
Telephone: (202) 331-7111 Facsimile: (202) 293-6229

PTO/SB/97 (12-97)

Approved for use through 8/30/00. OMB 0651-0031
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Certificate of Transmission Under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on March 16, 2004
Date

Dina N. Van Vuren
Signature

Dina N. Van Vuren
Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Amendment Transmittal (1 page);
Amendment (16 pages);
Revocation of Power of Attorney, New Power of Attorney and Change of
Correspondence Address (1 page); and
Certificate of Transmission under 37 CFR 1.8 (1 page).

AMENDMENT TRANSMITTAL LETTER				Docket No. 22220-00003-US	
Application No. 09/953,344	Filing Date August 23, 2001	Examiner Z. Lucas	Art Unit 1648		
Applicant(s): Vic Jira et al.					
Invention: VIRAL VACCINE COMPOSITION, PROCESS AND METHODS OF USE					
TO THE COMMISSIONER FOR PATENTS					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims		- 20 =		x	
Independent Claims		- 3 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00
<input type="checkbox"/> Large Entity <input checked="" type="checkbox"/> Small Entity					
<input checked="" type="checkbox"/> No additional fee is required for this amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>22-0185</u> as described below..					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
<u>Thor B. Nielsen</u> Thor B. Nielsen Attorney Reg. No.: 45,528 CONNOLLY BOVE LODGE & HUTZ LLP 1990 M Street, N.W., Suite 800 Washington, DC 20036-3425 (202) 331-7111				Dated: <u>March 16, 2004</u>	